REMARKS

In response to the Office Action mailed December 19, 2003, Applicant respectfully requests reconsideration. Claims 1-9 are currently pending in this application. Claims 2 and 5 are amended herein and the application as presented is believed to be in condition for allowance.

Initially, Applicant notes that the Office Action Summary page is unclear and is inconsistent with the Detailed Action. Specifically, line 4 of the Office Action Summary page indicates that only claim 9 is pending in the application. This is incorrect, as claims 1-9 are currently pending. Lines 6 and 7 of the Office Action Summary page indicate that claims 1, 2, and 5 are rejected and claims 3, 4, 6, 8, and 9 are objected to. The Office Action summary page does not address the disposition of claim 7.

The Detailed Action indicates that claims 1 and 5 are rejected under 35 U.S.C. §102(b) and claims 2 and 7 are rejected under the doctrine of obviousness type double patenting. The Detailed Action further indicates that claims 2, 6, and 7 are patentable over the prior art, but does not address claims 3, 4, 8, and 9. However, because the Office Action did not reject these claims under any of the cited references and because the Office Action Summary page did not list these claims as rejected, Applicant assumes that these claims are allowable.

In summary, it is Applicant's understanding that the Office Action intended to reject claims 1 and 5 under 35 U.S.C. §102(b) and intended to allow claims 2-4 and 6-9. If the above summary is inaccurate, clarification is respectfully requested.

Objections to the Specification

The Office Action objected to the Abstract asserting that the word "determines" in line 8 should read "determine." Applicant has amended the Abstract to correct this informality. Accordingly, it is respectfully requested the objection be withdrawn.

The Office Action objected to the Title of the Invention as not descriptive. Applicant has amended the Title of the Invention to overcome this objection. Accordingly, it is respectfully requested that the objection be withdrawn.

Objections to the Claims

The Office Action objected to claim 2, asserting that there is an extraneous semicolon in

line 6 of the claim. Applicant has amended claim 2 to remove the extraneous semicolon. Accordingly, it is respectfully requested that the objection to claim 2 be withdrawn.

The amendment to claim 2 is made solely for the purpose of correcting a minor informality and does not alter the scope of the claim.

Rejections Under 35 U.S.C. §112

The Office Action rejected claim 5 under 35 U.S.C. §112, second paragraph, asserting that there is insufficient antecedent basis for the phrase "said embedded computer system" in line 8 of the claim. Applicant has amended the phrase to read "said embedded signal processor." Accordingly, it is respectfully requested that the rejection of claim 5 under 35 U.S.C. §112, second paragraph be withdrawn.

The amendment to claim 5 is made solely for the purpose of clarification and does not alter the scope of the claim.

Rejections Under 35 U.S.C. §102

The Office Action rejected claims 1 and 5 under 35 U.S.C. §102(b) as purportedly anticipated by Hall (5,175,828). Applicant respectfully traverses this rejection.

Hall is directed to a method and apparatus for dynamically linking a subprogram into a main procedure. Hall teaches that a new subprogram may be prepared on a host computer and transported to the target system (Col. 3, lines 57-65). The new subprogram may then be loaded into the main memory of the target computer (Col. 5, lines 13-16). Hall teaches that when the main program is stored in ROM, it cannot be modified to access the code of the new subprogram (Col. 6, lines 13-18). Thus, instead of modifying the main program, a jump table which contains jump instructions to ROM-based procedures is modified to allow access to the new subprogram (Col. 6, lines 19-26). Specifically, as shown in Figure 4, the jump table stored in RAM may be modified so that the jump instruction which previously caused a jump to the ROM address of the old procedure now causes a jump to the RAM location of the new subprogram (Col. 6, lines 26-36). Hall does not teach that the location of the jump table in RAM is predetermined, nor does Hall specify where in the jump table the jump instruction to the new procedure is located. Thus, the location of the address of the new subprogram in RAM is not predetermined.

By contrast, claim 1 is directed to a method of operating a target computer system, wherein said target computer system has a memory comprising plural addressable locations and is adapted to run an application. The method comprises: providing on a host computer a file, comprising a subroutine required for operating of said application; dynamically loading said file from said host computer to said memory of said target computer system, whereby said file has an entry point at a dynamically-determined addressable location; storing at a predetermined one of said addressable locations data representative of the address of said entry point; running said application, whereby said application determines said data representative of said address thereby accessing said subroutine; and running said subroutine.

Hall does not disclose or suggest, "storing at a predetermined one of said addressable locations data representative of the address of said entry point." In Hall, both the new subprogram and the jump table that specifies the RAM address of the new subprogram are stored in RAM. However, Hall does not teach or suggest that the location of the jump table in RAM is predetermined. Further, the location of the jump instruction to the new subprogram in the jump table may vary in dependence on the location of the jump instruction that is being modified or replaced. Thus, the RAM address location of the jump instruction that specifies a jump to the RAM address of the new subprogram is not predetermined.

Therefore, claim 1 patentably distinguishes over Hall. Accordingly, it is respectfully requested that the rejection of claim 1 under 35 U.S.C. §102(b) be withdrawn.

Claim 5 is directed to a device for operating an embedded digital signal processor, said embedded signal processor having a memory comprising plural addressable locations, and being adapted to run an application. The device comprises a host computer connected to said embedded digital signal processor, said host computer comprising a computer file including a subroutine required for said application. The host computer comprises a linker-loader connected to said link and operative to send said file and dynamically load said file to said memory of said embedded signal processor whereby said file has an entry point at one of said addressable locations, said linker-loader comprising means for storing at a predetermined one of said addressable locations data representative of the address of said entry point. The embedded digital signal processor comprises processor circuitry running said application whereby said

application determines said data representative of said address, thereby accessing said file to enable said application to run.

As should be clear from the discussion above, Hall does not teach or suggest "a linker-loader comprising means for storing at a predetermined one of said addressable locations data representative of the address of said entry point," as recited in claim 5. Further, Hall does not teach "a host computer comprising a linker-loader." In Hall, the dynamic linker executes on the target system, not the host computer (*see* Hall, Col. 5, lines 13-17). Thus, claim 5 patentably distinguishes over Hall. Accordingly, it is respectfully requested that the rejection of claim 5 under 35 U.S.C. §102(b) be withdrawn.

Double Patenting Rejections

The Office Action rejected claims 2 and 7 under the doctrine of obviousness type double-patenting as unpatentable over claim 5 of co-pending application serial no. 09/778,580. Although Applicant does not agree that claims 2 and 7 are unpatentable over claim 5 of the cited application, Applicant submits herewith a terminal disclaimer to overcome the double patenting rejection. Accordingly, it is respectfully requested that the double patenting rejection of claims 2 and 7 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to deposit account No. 23/2825.

Respectfully submitted,

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